



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,433	04/22/2004	Gerard D. Agnew	84740 3134 TAL	8778
20736 7590 08/24/2007 MANELLI DENISON & SELTER 2000 M STREET NW SUITE 700 WASHINGTON, DC 20036-3307			EXAMINER ALEJANDRO, RAYMOND	
			ART UNIT 1745	PAPER NUMBER
			MAIL DATE 08/24/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10829433	4/22/2004	AGNEW, GERARD D.	84740 3134 TAL

MANELLI DENISON & SELTER  
2000 M STREET NW SUITE 700  
WASHINGTON, DC 20036-3307

**EXAMINER**

Raymond Alejandro

**ART UNIT****PAPER**

1745

20070820

**DATE MAILED:**

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

This office communication is being submitted in reply to the response to restriction requirement filed on 07/30/07 electing Invention 3 claims 22-32 directed to specific the method claims as set forth in the office action dated 06/20/07. However, this response is non-responsive. In this regard, it is noted that although applicants did make an election of species, applicants DID NOT include an identification of the species that was elected consonant with the requirement, in particular, applicants failed to provide a listing of all claims readable thereon, including any claims subsequently added, if applicable. Additionally, applicant's election of Species 2 is confusing as applicant defines Species 2 as shown in Figure 2 while the Examiner defines Species 1 as the embodiment of Figure 2 as set forth in the Restriction Requirement dated 06/20/07. Thus, it is immediately unclear whether applicant is electing either Species 2 (the embodiment of Figure 3) or Species 1 (the embodiment of Figure 2).

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

RAYMOND ALEJANDRO  
PRIMARY EXAMINER

Raymond Alejandro  
Primary Examiner  
Art Unit: 1745